

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION  
CIVIL ACTION NO. 2:21-cv-03569-DCN**

**JOHN P. SEIBELS III,**

**Plaintiff,**

**v.**

**NATIONAL CAR CURE, LLC, a Florida  
Limited Liability Company,**

**Defendant.**

**NOTICE OF REMOVAL**

Defendant National Car Cure, LLC (“Defendant” or “NCC”), by and through its undersigned counsel, files this Notice of Removal pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, and hereby gives notice to this Court of the removal of the Plaintiff’s Complaint from the Court of Common Pleas of Charleston County, South Carolina, to the United States District Court for the District of South Carolina, Charleston Division, and in support thereof, states the following:

1. Plaintiff filed this action on September 24, 2021, in the Charleston County Court of Common Pleas, Case No. 2021-CP-10-04426. The Complaint is attached as Exhibit A hereto.

2. Defendant was served with the Summons and Complaint on September 29, 2021. The proof of service is attached as Exhibit B hereto.

3. The right to remove is predicated upon the existence of federal question and supplemental jurisdiction in district court pursuant to 28 U.S.C. §§ 1331 and 1367(a):

- a. Plaintiff alleges causes of action under the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq. (“TCPA”), and its implementing regulations, 47 C.F.R. § 64.1200, et seq. Compl. ¶¶ 23–30. The Court has original jurisdiction over these claims. 28 U.S.C. § 1331.

b. Plaintiff's remaining state-law causes of action are so related to Plaintiff's federal causes of action that they form the same case or controversy under Article III of the United States Constitution. Compl. ¶¶ 43–56. The Court has supplemental jurisdiction over these claims. 28 U.S.C. § 1367(a).

4. This Court is located in the “district and division embracing the place where” this action is pending, meaning that this Court is the proper venue for this case to be heard. 28 U.S.C. § 1441(a).

5. Defendant will file a copy of this Notice of Removal with the Clerk of the Court for Charleston County, South Carolina, and provide a copy to Plaintiff.

**WHEREFORE**, Defendant respectfully removes this action from the Charleston County Court of Common Pleas to the United States District Court for the District of South Carolina.

s/ Wilson Daniel  
J. Rutledge Young, III (Fed. Bar No. 7260)  
Wilson Daniel (Fed. Bar No. 13579)  
DUFFY & YOUNG LLC  
96 Broad Street  
Charleston SC 29401  
(843)720-2044 Telephone  
(843)720-2047 Fax  
[ryoung@duffyandyoung.com](mailto:ryoung@duffyandyoung.com)  
[wdaniel@duffyandyoung.com](mailto:wdaniel@duffyandyoung.com)  
*Attorneys for Defendant*

October 29, 2021  
Charleston, South Carolina